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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,248	03/18/2004	James K. Guy	7784-000693	5974
27572	7590	05/03/2005	EXAMINER	
HARNESS, DICKEY & PIERCE, P.L.C.			TSO, LAURA K	
P.O. BOX 828			ART UNIT	
BLOOMFIELD HILLS, MI 48303			PAPER NUMBER	

2875

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/803,248

Applicant(s)

GUY, JAMES K.

Examiner

laura tso

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-27, 29, 30, 32-35, 37 and 38 is/are rejected.
- 7) ☒ Claim(s) 12, 28, 31 and 36 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

The disclosure should be carefully reviewed to ensure that any and all grammatical, idiomatic, and spelling or other minor errors are corrected.

Claim Objections

Claim 31 is objected to because of the following informalities: In claim 31, applicant should delete "from the" [line 3]. Appropriate correction is required.

Claim Rejections - 35 USC § 102.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6, 10, 13-16, 18, 22, 24-27, 29, 32-35 and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Benes (5,161,874).

Benes discloses a lighting system [figures 1-3] comprising a street lamp post [column 1, line 44], a light source [26] located within a base [B] which supports the light guide, a light guide [C] that channels the light from the light source to the lamp post and a luminaire [D]. The light source is a bulb. The light guide is optical fiber extending longitudinally within the hollow portion [40] of the lamp post through a conduit [40]. Inherently the optical fiber has total internal reflection.

Claims 1, 3, 4, 6, 8, 13, 15, 16, 18, 20 and 24-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Rizkin et al. (5,629,996).

Benes discloses a lighting system [figures 1] comprising a lamp post, light sources [10] located within a base which supports the light guide, a light guide [30] that channels the light from the light source to the lamp post and to a plurality of luminaires [40]. The light source is a bulb (applicant suggests Tungsten/Xenon lamps which can be broadly classified as bulbs: columns 9 and 10). The light guide is optical fiber bundle [30]. Inherently the optical fiber has total internal reflection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 7, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benes or Rizkin et al. in view of Parker et al. [6,185,356].

Benes and Rizkin do not disclose the light source comprises a laser or an LED. Parker, in a similar light guide device, discloses light guides may be coupled with a variety of light guides including LEDs and lasers [column 7, line 25-45]. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a laser or LED as the light source in the devices of either Benes or Rizkin depending on the desired light output.

Claims 9 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benes or Rizkin et al. in view of Hoffmann [6,612,729].

Benes and Rizkin do not disclose the light guide is a hollow structure having a reflective coating covering the inside surface of the structure. Hoffmann, in a similar light guide device, discloses a hollow light guide having a reflective coating covering the inside surface of the structure which provides total internal reflection of light within the light guide [column 2, line 32-35]. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a the hollow light guide having a reflective inside coating as taught by Hoffmann in the devices of either Benes or Rizkin to provide total internal reflection in a flexible light guide which would not be heavy.

Claims 11, 23, 30 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benes in view of Nath [5,412,750].

Benes does not disclose the light guide is a hollow structure having a liquid waveguide core. Nath, in a similar light guide device, discloses a light guide which is a hollow structure having a liquid core. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a light guide having a hollow structure having a liquid as taught by Nath in the device of Benes to provide a flexible light guide which has a moderate cost and desirable illumination properties.

Claims 11 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rizkin et al. in view of Nath [5,412,750].

Rizkin does not disclose the light guide is a hollow structure having a liquid waveguide core. Nath, in a similar light guide device, discloses a light guide which is a hollow structure having a liquid core. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a light guide having a hollow structure having a liquid as taught by Nath in the device of Rizkin to provide a flexible light guide which has a moderate cost and desirable illumination properties.

Allowable Subject Matter

Claims 12, 28, 31 and 36 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Prior art fails to show or suggest a lighting system comprising an illumination device, a light source located remotely from the illumination device and a light guide adapted to channel light from the light source to the illumination device further comprising an arm extending from the distal end of the light guide and channel light from the light guide to the illumination device connected to the arm.

Prior art fails to show or suggest a street lamp comprising, a light source, a lamp post, adapted to be a light guide, and a luminary located remotely from the light source at a distal end of the lamp post where in the lamp post further comprises a hollow structure having a reflective coating covering the inside surface of the post.

Prior art fails to show or suggest a street lamp comprising, a light source, a lamp post, adapted to be a light guide, and a luminary located remotely from the light source at a distal end of the lamp post further comprising an arm extending from the distal end of the lamp post to channel light from the lamp post guide to the illumination device connected to the arm.

Prior art fails to show or suggest a street lamp comprising, a light source accessible to a person on the ground, a lamp post which channels optical signals, and a luminary supported by the lamp post in a location difficult to where in the lamp post further comprises a hollow structure having a reflective coating covering the inside surface of the post.


Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note the patent to Rizkin (5,986,792).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to laura tso whose telephone number is 571-272-2385. The examiner can normally be reached on M-F 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, sandra o'shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


laura tso
Primary Examiner
Art Unit 2875